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15 Attorneys for Respondent  
16 MICHAEL MARTEL Acting Warden of  
San Quentin State Prison  
17

18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 DARREN CORNELIUS STANLEY, ) No. C07-4727 EMC  
22 )  
23 Petitioner, ) **DEATH PENALTY CASE**  
24 )  
25 vs. ) **JOINT CASE MANAGEMENT**  
26 ) **STATEMENT**  
27 MICHAEL MARTEL Acting Warden, )  
San Quentin State Prison, )  
28 Respondent. )  
\_\_\_\_\_)

1  
2 Pursuant to this Court's November 28, 2011 Order at 3, the parties met and  
3 conferred on Monday, January 9, 2012 to discuss the proposed schedule for determining  
4 Petitioner's competency.

5  
6 In his original ex parte motion to stay proceedings and for equitable tolling  
7 pending a determination of Petitioner's competency, Petitioner's counsel requested that  
8 the Court set the date of January 15, 2012, as the date upon which counsel must either file a  
9 motion for a hearing to determine competency or otherwise declare that counsel have  
10 resolved their doubts as to Stanley's competency. Petitioner's counsel needs an the  
11 additional 30-days to gather potentially relevant records to make a threshold decision  
12 on the issue; the records were requested in late November, some were received on January  
13 10, and the remainder are expected within the next 10 days.

14  
15  
16 Therefore, the Parties set forth the following schedule for determining  
17 Petitioner's competency:

18 (1) Petitioner's Motion for a Hearing to Determine Competency, or  
19  
20 declaration that their doubts have been resolved, shall be filed by February 15, 2012;

21 (2) Respondent's Opposition, if any, shall be filed by March 7, 2012; and:

22 (3) Petitioner's Reply, if any, shall be filed by March 21, 2012.

23  
24 The Parties shall meet and confer, and within fifteen days of any Order  
25 granting such hearing, shall file a joint case-management statement that includes a

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1 proposed structure for that determination, including Respondent's expert examination, if  
2 any, or their alternate positions on such issues for this Court's resolution.  
3

4  
5 DATED: January 12, 2012.

ROGER I. TEICH  
DAVID A. NICKERSON

7 By: \_\_\_\_\_  
8 Roger I. Teich

9 Attorneys for Petitioner  
10 DARREN CORNELIUS STANLEY

11  
12 DATED: January 12, 2012.

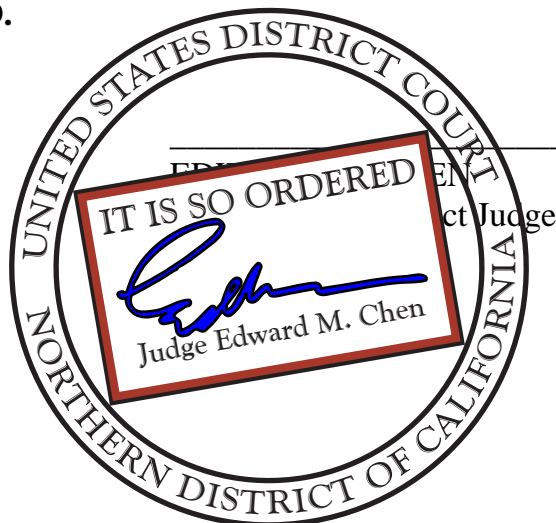
KAMALA D. HARRIS, Attorney General  
of the State of California

14 By: \_\_\_\_\_  
15 Michele J. Swanson  
16 Deputy Attorney General

17 Attorneys for Respondent  
18 MICHAEL MARTEL, Acting Warden of  
19 San Quentin State Prison

20 **IT IS SO ORDERED.**

21 Dated: 1/25/12  
22 \_\_\_\_\_



**PROOF OF SERVICE**

I hereby certify that on January 12, 2012, I electronically filed the following document with the Clerk of the Court by using the CM/ECF system:

**JOINT CASE MANAGEMENT STATEMENT**

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system. I also served courtesy electronic copies upon the following interested parties.

Judge Edward M. Chen  
United States District Court  
San Francisco Courthouse, Courtroom 15 - 18th Floor  
450 Golden Gate Avenue, San Francisco, CA 94102  
Email: EMCpo@cand.uscourts.gov  
(Chambers Copy)

Office of the Clerk, U.S. District Court  
450 Golden Gate Avenue  
P.O. Box 36060  
San Francisco, CA 94012  
Attn: CJA Unit  
Email: cja@cand.uscourts.gov  
Email: Cari\_Waters@cand.uscourts.gov  
(CJA clerk's copy)

Mr. George Kolombatovich  
Death Penalty Staff Attorney  
United States Courthouse  
450 Golden Gate Avenue, Suite 36060  
San Francisco, CA 94102  
Email: g\_o\_kolombatovich@cand.uscourts.gov

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed in San Francisco, California, on January 12, 2012.

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Roger I. Teich